IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

RP.No. 180 of 2006(D)

AGAINST THE JUDGEMENT/ORDER IN WPC.31114/2005 Dated 08/11/2005

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REVIEW PETITIONERS/RESPONDENTS

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1. STATE OF KERALA, REP. BY
   ITS SECRETARY, DEPARTMENT OF HEALTH,
   GOVT. SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR,
   OFFICE OF HEALTH DEPARTMENT,
   GOVT. SECRETARIAT,
   TRIVANDRUM.

3. THE DISTRICT MEDICAL OFFICER,
   MANJERI, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER

RESPONDENTS: PETITIONERS

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1. K.SIVADASAN,
   SOUPARNIKA, VADAKKUMPADA P.O.,
   HOSPITAL ATTENDANT, TALUK HOSPITAL,
   NILAMBUR.

2. M.MALLIKA,
   MALAKOT HOUSE, KOVILAKATHU MURI,
   NILAMBUR, HOSPITAL ATTENDANT GR.II,
   PUBLIC HEALTH CENTRE,
   VAZHIKKADAVU.

BY

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 17/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.GIRI, J.

R.P.180 of 2006
in
W.P.(C) 31114 of 2005

Dated this the 17th day of September, 2007

ORDER

The Review Petition is in relation to the judgment in Writ Petition No.31114/2005. The judgment in question is based on another judgment, a common one relating to several writ petitions, which dealt with the claim of the persons who were working as Hospital Attendant Grade II. The assertion made by the petitioners in most of the writ petitions was that they were working as Hospital Attendant Grade II on provisional basis, but they were appointed after they were sponsored by the Employment Exchange. Reference in this regard was made to an earlier judgment of a Division Bench in Writ Appeal No.96/2000 and connected cases. Ultimately certain directions were issued by this Court in the said common judgment.

2. In so far as the present writ petition is concerned, the writ petitioners were appointed as Hospital Attendant Grade II on a daily wages basis. It was not a case where they were sponsored by the Employment Exchange. But this Court had proceeded to dispose of the

writ petition on the premise that the judgment in the batch cases also governs the writ petitioners herein. This is not so. There is an error apparent on the face of record.

R.P.180/2006 is allowed. The judgment in the writ petition is reviewed.

Post the writ petition for hearing separately.

V.GIRI, JUDGE

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